

**California Regional Water Quality Control Board  
San Francisco Bay Region**

ORDER NO. 77-64

**Enforcement Order for Issuance of a Time Schedule**

Order directing San Rafael Sanitation District Main Plant to comply with requirements prescribed by the California Regional Water Quality Control Board, San Francisco Bay Region, in Order No. 77-63 (NPDES permit No. CA0038041).

The California Regional Water Quality Control Board, San Francisco Bay Region, finds that:

1. This Board on June 21, 1977 adopted Order No. 77-63 prescribing waste discharge requirements including a compliance time schedule for San Rafael Sanitation District-Main Plant in accordance with the statutory requirements of the Federal Water Pollution Control Act and the California Water Code. The NPDES permit contains a compliance date of July 1, 1977, for achieving the secondary effluent limitations as required by the Federal Act.
2. The discharger has submitted evidence which documents that the above requirements cannot be achieved. The subregional study for East Marin/South Sonoma has been delayed for reasons largely beyond the District's control.
3. The discharger has submitted a time schedule by which he can achieve the requirements contained in Order No. 77-63.
4. The Board has notified the discharger and interested agencies and persons of its intent to adopt a time schedule for compliance.
5. The Board in a public hearing heard and considered all comments pertaining to this discharger's ability to achieve compliance.

IT IS HEREBY ORDERED, that in accordance with Water Code Section 13300 the discharger shall comply with provision E.2.a of Order No. 77-63 according to the following time schedule:

<u>1. Task</u>	<u>Completion Date</u>	<u>Compliance Due</u>
Publish completed draft EIS/EIR and draft facilities plan	October 1, 1977	October 15, 1977
Hold public hearing on draft EIS/EIR	November 15, 1977	November 30, 1977
Complete institutional arrangements necessary to implement facilities plan	January 1, 1978	January 15, 1978
Complete final EIS/EIR	May 1, 1978	May 15, 1978
Submit project report and Step II grant application to State Board and Regional Board	May 1, 1978	May 15, 1978

<u>Task</u>	<u>Completion Date</u>	<u>Compliance Due</u>
Submit application for NPDES permit for new discharge location	May 1, 1978	May 15, 1978
Submit a time schedule for design and construction of facilities to meet the requirements	September 1, 1978	September 15, 1978

2. This Order expires on October 1, 1978. This Board declares that it shall not undertake further enforcement action to bring the discharger into compliance with secondary effluent limitations by July 1, 1977, as contained in Order No. 77-63 provided:
- The discharger complies fully with all terms of the time schedule contained in this Order;
  - The discharger complies fully with all terms of the permit with the exception of the provision E.2.a;
  - Circumstances do not occur which would warrant modification of the permit or time schedule; and
  - Circumstances do not occur which would warrant an action under Section 504 of the Federal Water Pollution Control Act.

The action taken by this Board pertaining to the time schedule does not preclude the possibility of actions to enforce the permit by third parties pursuant to Section 505 of the Federal Water Pollution Control Act.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 21, 1977.

FRED H. DIERKER  
Executive Officer